

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA**

**vs.**

**WILLIE GEORGE MCCOVERY**

)  
)  
) **CRIMINAL NO. 08-00018-001-WS**  
) **USM NO. 10279-003**  
)

**ORDER**

This matter is before court on defendant's motion to amend/correct sentence to reflect that the defendant's sentence was intended to run concurrent with the sentence imposed by the state in CC 91-931 (Doc. 28). A hearing was held on the issue on September 8, 2011. The government concurred with the defendant's request. The court has reviewed the docket and the transcript and finds that the defendant's position is supported therein. Pursuant to the provisions of Fed.R.Crim.P. 36,<sup>1</sup> governing the correction of clerical mistakes contained in the Judgment in a Criminal Case, the court hereby AMENDS nunc pro tunc the judgment which was entered in the above styled action on October 17, 2008, to read as follows:

**Page 2 – Imprisonment: the defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 37 MONTHS; said term is to run concurrently with the sentence imposed in the Baldwin County Circuit Court, Case No. CC 91-931; and shall commence on April 16, 2008 in order to give him credit toward his federal sentence for the time served in State Custody.**

All other provisions of the original sentence are re-imposed.

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<sup>1</sup> 1 See U.S. v. Green, No. 09-14896, 2011 WL 2150111 at \*1(11<sup>th</sup> Cir. June 1, 2011)(“Under the rule, a district court may amend the written judgment to conform it to the oral pronouncement of sentence.”)

DONE and ORDERED this 8th day of September, 2011.

s/Kristi K. DuBose  
UNITED STATES DISTRICT JUDGE

FOR William H. Steele, Chief Judge